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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,316	07/19/2001	Daniel Putterman	MEDB.P0001	2016

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EXAMINER	
SALCE, JASON P	

ART UNIT	PAPER NUMBER
2611	9

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/910,316	PUTTERMAN ET AL.	
	Examiner	Art Unit	
	Jason P Salce	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 July 2000* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 300. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Williams, Jr. (U.S. Patent No. 6,202,211).

Referring to claim 1, Williams discloses a first device configured to acquire and store digital media content (see Column 5, Lines 34-38 and element 20 in Figure 5 for storing digital media content into mass storage at a first device (server)). Also note that the environment of the system is a home network (see Column 3, Lines 31-34).

Williams also discloses a transmission medium coupled to the first device (see the In House Coaxial Cable in Figure 5).

Williams also discloses a second device coupled to the transmission medium (see Set Top Box 22 connected to the In House Coaxial Cable in Figure 5), wherein the second device is configured to control the playback and display of the digital media content (see Column 7, Lines 16-21 for the set top box 22 controlling the playback of the video).

Referring to claims 2-4, Williams discloses that a second or third device (set-top box 22) is configured to determine that a first or second network user is requesting access digital media content stored at the first device based upon a first remote identification (ID) corresponding to the first network user (see Column 15, Lines 10-21 for requesting digital media content using a user ID, and if other requests are being processed, a message is relayed to the requesting set top box that a channel is unavailable to transfer the content, therefore, the set top box inherently knows that other set top boxes are requesting access).

Referring to claim 5, Williams discloses that the first, second and third devices are set-top boxes. Note that the second and third devices are set top boxes as shown by element 22 in Figure 5, and also note that the first device is the server 20 in Figure 5. The examiner notes that the server provides the same functionality as the applicant's "Acquisition and Storage Set-Top Box" (element 220 in Figure 2 in the instant application), which acts as a server within the home network for delivering digital media content to other devices (set top box 240 in Figure 2 in the instant application).

Referring to claim 7, see Column 6, Lines 8-10 for the server communicating with a remote computer (set top box). Therefore, the third device can inherently be either a personal computer or a set-top box.

Referring to claim 8, Williams discloses a display device and an audio device coupled to the second device (see TV 23 connected to set top box 22 in Figure 5).

Referring to claim 9, Williams discloses a device interface coupled to the transmission medium and a digital device coupled to the device interface (set top box 22 reads on these limitations, because the set top box is a device interface coupled to a transmission medium (In House Coaxial Cable, Figure 5 and Column 6, Lines 7-8) and each set top box contains a digital device coupled to the device interface (see element 177 in Figure 19)).

Referring to claim 10, Williams discloses that the server can be connected to a DVD player (see Column 5, Lines 34-38).

Referring to claim 11, Williams discloses a media acquisition module configured to acquire digital media content from a source coupled to an external network (see programmable channel filter 62 in Figure 5 and Column 7, Lines 9-12).

Williams also discloses a storage management module configured to catalog digital media content received from the media acquisition module (see server 20 in Figure 5 and Column 7, Lines 16-19 and Lines 34-37 for the server cataloging which channels are to be viewed and programming the channel filter accordingly).

Referring to claim 12, Williams discloses an API (see MCMS at Column 7, Lines 58-64).

Williams also discloses a business objects module (see Column 9, Lines 6-8 for installing modules (metadrivers) that conduct operations of the server).

Williams also discloses a storage API (see Column 9, Lines 15-18).

Williams also discloses a database API (see Column 9, Lines 13-15).

Williams also discloses a relational database (see Column 9, Lines 40-43).

Referring to claim 13, Williams discloses an API (see Column 9, Lines 15-18).

Williams also discloses a content acquisition module (see Column 9, Lines 6-8).

Williams also discloses a code update module (see Column 9, Lines 40-43).

Referring to claim 14, Williams discloses a media playback module (see Column 5, Lines 46-67 and element 45 in Figure 4).

Williams also discloses a media control module (see Column 5, Lines 31-34).

Referring to claim 16, Williams discloses an input abstraction module (see Column 8, Lines 5-9).

Williams also discloses a user interface renderer (Column 8, Lines 23-24).

Williams also discloses a remote control input/output (see elements 35 and 36 in Figure 3).

Williams also discloses an application infrastructure (see MCMS at Column 7, Lines 58-64).

Williams also discloses one or more applications (see metadrivers at Column 8, Lines 5-8).

Referring to claim 17, Williams discloses a media playback module (element 173 in Figure 19) and a media control element (element 172 in Figure 19).

Referring to claim 19, see rejection of claim 16.

Referring to claim 20, Williams discloses receiving a request at a control module (see Column 9, Lines 15-18 for the MCMS software at the server receiving a request) from a first remote device (set top box/client system 806 at Column 9, Line 16) to access media data from a storage management module (see Column 9, Lines 13-15 for the server creating a storage structure that the is used to find media content when a client makes a request at Column 9, Lines 15-18).

Williams also discloses determining at the control module that a first user is requesting access to the data based upon a first remote ID (see Column 10, Lines 7-15 to determine the appropriate user is accessing the system and Column 11, Lines 23-25 for giving the client an ID for identification when a request is made in the future).

Williams also discloses opening a data stream between a playback module and the storage management module (see Column 11, Lines 23-25 for allocating a channel between the server and client (playback module)).

Williams also discloses receiving the data at the playback module (see Column 3, Lines 66-67 and Column 4, Lines 1-3).

Referring to claim 21, Williams discloses processing the request at the control module after the request is received at the control module (see Column 11, Lines 17-19).

Referring to claim 22, Williams discloses analyzing the user information at the control module in order to determine whether the first user is to be granted access to

the data (see Column 10, Lines 10-13 for determining the appropriate user and level of driver access the user will receive).

Williams also discloses accessing a database at the storage management module (see Column 9, Lines 15-18).

Referring to claim 23, Williams discloses displaying the data at a display device (TV 23 in Figure 5) coupled to the playback module (set top box 22 in Figure 5).

Referring to claim 24, Williams discloses receiving remote control data from the first remote control device (see Column 9, Lines 15-18 for receiving a request from a client and Column 12, Line 65 for an IR controller for receiving signals from a remote control (i.e. a request from a user)).

Williams also discloses extracting the first remote ID from the remote control data (see Column 10, lines 10-14 for using the user ID to determine the appropriate user, therefore the remote data is inherently extracted and processed).

Williams also discloses accessing an index table that correlates the first remote ID with the first user (again, see Column 10, Lines 10-14 for determining the appropriate user).

Referring to claims 25-26, see rejection of claims 20 and 24, respectively, and note that multiple user can use the system, where each user receives a different channel of the transmission medium (see Column 6, Lines 10-13).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. (U.S. Patent No. 6,202,211).

Williams discloses all of the limitations in claim 4, and teaches that the first and second device is a set-top box, but fails to disclose the third device being a PDA. The examiner takes Official Notice that PDA's are used in home network systems to request digital media content. At the time the invention was made, it would have been obvious to use a PDA to request digital content for the purpose of having a compact and portable means for a user to request digital media content.

Referring to claim 15, Williams discloses a frame buffer and video abstraction module (see card 45 in Figure 4 and Column 5, Lines 46-55), media player (element 38 in Figure 3), and an API (again see MCMS at Column 7, Lines 58-64). Williams fails to teach a video decoder. The examiner takes Official Notice that a server can decode video for displaying to the video to a user. At the time the invention was made, it would have been obvious to include a video decoder in the server 20 in Figure 5, for the purpose of allowing a user to preview the video that will be sent to the clients.

Referring to claim 18, Williams discloses a video decoder (demodulator 147 in Figure 23), video abstraction module (channel listener 130 in Figure 20) and media player (see TV 23 in Figure 5), but fails to teach a frame buffer and API. The examiner takes Official Notice that set top boxes contain both a frame buffer and an API. At the time the invention was made, it would have been obvious to utilize a frame buffer for the

purpose of more efficient reception of the data from a server, and an API for the purpose of allowing a user to write there own software modules to organize and manipulate data stored at the client's set top box.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lea et al. (U.S. Patent No. 6,032,202) discloses a similar HAVI system that provides a program that determines the minimal and maximum number of commands each device is capable of performing (level 1 and 2 DCMs).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P Salce whose telephone number is (703) 305-1824. The examiner can normally be reached on M-Th 8am-6pm (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on (703) 305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5359 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

October 1, 2003

ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600